

PRISON LAW OFFICE
DONALD SPECTER – 83925
SARA NORMAN – 189536
General Delivery
San Quentin, California 94964
Telephone: (415) 457-9144

BINGHAM McCUTCHEN, LLP
WARREN E. GEORGE – 53588
Three Embarcadero Center
San Francisco, California 94111-4066
Telephone: (415) 393-2000

DISABILITY RIGHTS EDUCATION &
DEFENSE FUND, INC.
LINDA KILB -- 136101
2212 6th Street
Berkeley, California 94710
Telephone: (510) 644-2555

ROSEN, BIEN & GALVAN, LLP
MICHAEL W. BIEN – 096891
ERNEST GALVAN – 196065
GAY C. GRUNFELD – 121944
315 Montgomery Street, 10th Floor
San Francisco, California 94104
Telephone (415) 433-6830

JONES DAY
CAROLINE N. MITCHELL - 143124
555 California Street, 25th Floor
San Francisco, CA 94104
Telephone: (415) 875-5712

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,
Plaintiffs,
v.
ARNOLD SCHWARZENEGGER, et al.,
Defendants.

) Case No. C 94 2307 CW
)
) **ORDER CONFIRMING UNDISPUTED**
) **CALIFORNIA DEPARTMENT OF**
) **CORRECTIONS AND REHABILITATION,**
) **ADULT OPERATIONS AND ADULT**
) **PROGRAMS ATTORNEYS' FEES AND**
) **COSTS ON THE FOURTH QUARTERLY**
) **STATEMENT OF 2006**

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) **COSTS ON THE FOURTH QUARTERLY**
) **STATEMENT OF 2006**

On March 26, 1997, the District Court established procedures by which plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, plaintiffs overnight delivered their Fourth Quarterly Statement for 2006 to defendants on February 1, 2007. Defendants submitted their objections to plaintiffs' statement on March 2, 2007. The parties completed their meet and confer on March 29, 2007, and reached an agreement, as reflected in Exhibit A.

Defendants do not dispute the balance of \$837,134.52 in fees and expenses for monitoring and fee collection activities in the California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (hereafter CDCR/AOAP)¹ portion of the case for the Fourth

¹ The former California Department of Corrections (CDC) was part of a state government reorganization in July 2005, and is now known as California Department of Corrections and Rehabilitation, Adult Operations and Adult Programs (CDCR/AOAP).

Quarterly Statement for 2006, which will become due and owing forty-five days from the entry of this Order. Interest on these fees and costs will run from the date this Order is entered, accruing at the rate provided by 28 U.S.C. § 1961.

The parties were not able to agree on \$8,464.31, which remains in dispute. The parties agree to the total payment of \$837,134.52 in undisputed fees and costs for the Fourth Quarter of 2006. Attached hereto as Exhibit A is a chart setting forth the balance due.

WHEREFORE, IT IS CONFIRMED that \$837,134.52 becomes collectable and legal interest begins accruing on such sum as of the date this Order is entered.

IT IS SO ORDERED.

4/11/07

Dated: _____



Claudia Wilken
United States District Judge

APPROVED AS TO FORM:

Dated: _____

/S/ Jennifer J. Nygaard

Jennifer J. Nygaard
Deputy Attorney General
Attorneys for Defendants

Dated: _____

/S/ Gay C. Grunfeld

Gay C. Grunfeld
Ernest Galvan
Rosen Bien & Galvan
Attorneys for Plaintiffs